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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,989	04/05/2001	Jed W. Fahey	037677-0256	4463
22428	7590	10/22/2007		
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER KRASS, FREDERICK F	
			ART UNIT	PAPER NUMBER
			1614	
			MAIL DATE	DELIVERY MODE
			10/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/825,989	FAHEY ET AL.	
	Examiner	Art Unit	
	Frederick Krass	1614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

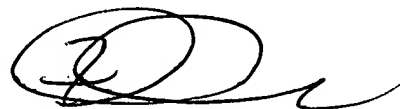
1. ☒ The amendment filed on 09 October 2007 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The specification and originally filed claims always use the term "and" in conjunction with the terms "glucosinolates" and "isothiocyanates". Applicant points to the bottom paragraph of page 19 of the specification as supporting the "understanding" that the two were disclosed in the alternative, but that paragraph merely describes "sources of cancer chemoprotectants", followed by a listing of particular plant species; it specifically mentions neither glucosinolates nor isothiocyanates. Accordingly, the proposed amendment will not be entered since it would introduce potential new matter.



Frederick Krass
Primary Examiner
Art Unit: 1614